

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION**

**NATIONAL RIFLE ASSOCIATION OF
AMERICA,**

Plaintiff and Counter-Defendant,

and

v.

Case No. 3:19-cv-02074-G

ACKERMAN MCQUEEN, INC.,

Defendant and Counter-Plaintiff,

and

**MERCURY GROUP, INC., HENRY
MARTIN, WILLIAM WINKLER, AND
MELANIE MONTGOMERY**

Defendants.

**DEFENDANTS' OBJECTIONS TO, AND MOTION TO STRIKE, PLAINTIFF
NATIONAL RIFLE ASSOCIATION OF AMERICA'S
SUMMARY JUDGMENT EVIDENCE**

Defendant/Counter-Plaintiff Ackerman McQueen, Inc. (“*AMc*”), Defendants Mercury Group, Inc. (“*Mercury*”), Henry Martin (“*Martin*”), William Winkler (“*Winkler*”), and Melanie Montgomery (“*Montgomery*”) (collectively, “*Defendants*”), file these *Objections to, and Motion to Strike, the National Rifle Association of America's (“NRA”)* Summary Judgment Evidence.

As is set forth more particularly in the Brief filed contemporaneously herewith, the NRA relies on inadmissible evidence in support of its Motion for Partial Summary Judgment (the “*NRA MSJ*”).¹ That evidence must be excluded pursuant to Federal Rule of Civil Procedure 56.

¹ See ECF 420, 421, 422.

In accordance with the Local Rules, this Motion is supported by Defendants' Brief, which sets forth Defendants' contentions of fact and/or law and argument and authorities.

WHEREFORE, PREMISES CONSIDERED, Defendants respectfully request that the Court grant Defendants' Motion to Strike, and strike all evidence objected to, and that the Court grant Defendants such other and further relief to which they may be entitled.

December 20, 2021.

Respectfully submitted,

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**ATTORNEYS FOR DEFENDANTS/
COUNTER-PLAINTIFF**

CERTIFICATE OF SERVICE

I hereby certify that on December 20, 2021, I filed the foregoing document with the clerk of court for the U.S. District Court, Northern District of Texas. I hereby certify that I have served the document on all counsel and/or pro se parties of record by a manner authorized by Federal Rules of Civil Procedure 5(b)(2).

/s/ Brian E. Mason
BRIAN E. MASON